

**UNITED STATES CHIEF DISTRICT JUDGE
250 CHARLES R. JONES
FEDERAL BLDG.
401 W. TRADE STREET
CHARLOTTE, NC 28202**

RECEIVED
CHARLOTTE, NC

OCT 18 2019

Clerk, US District Court
Western District of NC

Cc: To the Chief Judge Frank D. Whitney,

Citizen's Complaint:

Here comes citizen's of the United States of America before your Honorable Chief Judge Frank D. Whitney concerning a very serious matter that demands your urgent and personal action. We the citizen's, and I, Evangelist: Howard J. Foster, have tried all the resources, time, and lawful ways through the judicial system to address and allow the judicial official's to judicate the matter according to the laws, statutes, and procedures, which have not been dealt with in the appropriate manner.

It is simple and plain the request we are asking the Honorable Chief Judge Frank D. Whitney to HELP us with. For we have been asking the Honorable Judge Martin Riedenger, United States Attorney, and other's this one question that we need an answer to so that the due process of law can be executed by the court of law.

QUESTION

**(1) Did the Honorable Lacy H. Thornburg violate the law by filing this document into the case of U.S. v. Kenneth Foster 1:09-cr-00013-MR-DLH-8, 1:12-cv-00315-MR?
Exhibit: A, 1,2**

FACTS OF COMPLAINT

A. This document shows the Honorable Judge Lacy H. Thornburg retired on August 31, 2009. Exhibit: B

B. These documents shows that document Exhibit: A was filed into court records on March 11, 2010 and in the court of appeal July 1, 2010, of U.S. v. Kenneth Foster 1:09-cr-00013-MR-DLH-8, 1:12-cv-00315-MR. Exhibit: C, 1-4

C. Also documents shows on appeal how essential and relevant this question and answer to the question is and has become in order for due process of law and justice for this case is necessary, which has hinged on the document and the question of who filed this document and when? Exhibit: D, 1-16

D. We the citizen's have exhausted our resolve for the confidence we placed in the fairness and unbiased execution of justice by court official's that are promoting racial bias, prejudice acts toward the under privileged without any judicial ethics of the Canon Codes that they should be guided by, which they are going to the lowest standards of society with their acts of judicial crimes against alleged criminals. This crime that either the Honorable Judge Lacy H. Thornburg or the Honorable Judge Martin Riedinger committed that filed a late document into the court case of Kenneth Foster need to be cleared up for the sake of justice by you the Honorable Chief Judge Frank D. Whitney.

E. Canon Code, Scope, [4] Second, the Comments identify aspirational goals for judges. To implement fully the principles of this Code as articulated in the Canons, judges should strive to exceed the standards of conduct established by the Rules, holding themselves to the highest ethical standards and seeking to achieve those aspirational goals, thereby enhancing the dignity of the judicial office.

F. Preamble

[1] An independent, fair and impartial judiciary is indispensable to our system of justice. The United States legal system is based upon the principle that an independent, impartial, and competent judiciary, composed of men and women of integrity, will interpret and apply the law that governs our society. Thus, the judiciary plays a central role in preserving the principles of justice and the rule of law. Inherent in all the Rules contained in this Code are the precepts that judges, individually and collectively, must respect and honor the judicial office as a public trust and strive to maintain and enhance confidence in the legal system.

[2] Judges should maintain the dignity of judicial office at all times, and avoid both impropriety and the appearance of impropriety in their professional and personal lives. They should aspire at all times to conduct that ensures the greatest possible public confidence in their independence, impartiality, integrity, and competence.

G. Some court official's are not executing the fair and impartial judiciary and have disregarded the indispensable aspect of our system of justice. There are some that are not competent judiciary and without the integrity that is expected and required of them.

H. We the citizen's request the Honorable Chief Judge Frank D. Whitney to remove the violator's that disregard that they "must respect and honor the judicial office as a public trust and strive to maintain and enhance confidence in the legal system".

I. Impartial," "impartiality," and "impartially" mean absence of bias or prejudice in favor of, or against, particular parties or classes of parties, as well as maintenance of an open mind in considering issues that may come before a judge. See Canons 1, 2, and 4, and Rules 1.2, 2.2, 2.10, 2.11, 2.13, 3.1, 3.12, 3.13, 4.1, and 4.2.

Impropriety" includes conduct that violates the law, court rules, or provisions of this Code, and conduct that undermines a judge's independence, integrity, or impartiality. See Canon 1 and Rule 1.2.

"Independence" means a judge's freedom from influence or controls other than those established by law. See Canons 1 and 4, and Rules 1.2, 3.1, 3.12, 3.13, and 4.2.

Integrity" means probity, fairness, honesty, uprightness, and soundness of character. See Canons 1 and 4, and Rules 1.2, 3.1, 3.12, 3.13, and 4.2.

"Knowingly," "knowledge," "known," and "knows" mean actual knowledge of the fact in question. A person's knowledge may be inferred from circumstances. See Rules 2.11, 2.13, 2.15, 2.16, 3.6, and 4.1.

Applicability of this Code

1. Anyone, whether or not a lawyer, who is an officer of a judicial system and who performs judicial functions, including but not limited to Justices of the Supreme Court of Appeals, Circuit Judges, Family Court Judges, Magistrates, Mental Hygiene Commissioners, Juvenile Referees, Special Commissioners and Special Masters, is a judge within the meaning of the Code.
2. All judges shall comply with this Code except as provided below. All judicial candidates for judicial office shall comply with the applicable provisions of this Code.

Canon 1

A Judge Shall Uphold And Promote The Independence, Integrity, And Impartiality Of The Judiciary, And Shall Avoid Impropriety And The Appearance Of Impropriety.

Cannon 1.1 Compliance With the Law

CONCLUSION

We the citizen's present this question to the Honorable Chief Judge Frank D. Whitney, because the court official's have failed to represent the high ethical standards of the Cannon Codes and the publics confidence of being a independent, fair, impartial, and competent judiciary that allow the indispensable character of our system of justice to be revealed.

The ethical standards that some may have started out with they have given in to the ills of life and have tossed off the integrity they vowed to uphold and promote, "A Judge Shall Uphold And Promote The Independence, Integrity, And Impartiality Of The Judiciary, And Shall Avoid Impropriety And The Appearance Of Impropriety."
Cannon 1.1 Compliance With the Law

So we have no other choice but to appeal to your integrity, honesty, and loyalty to intrude in this dire situation, which has taken us over 10 years to try to get one question answered without a direct answer from those who should have answered it years ago.

We the citizen's of the United States of America duly acknowledge that there are still judiciary's that the citizen's can rely upon with confidence and resolve that the system of justice still works in a challenging society.

For your act of judgment in this matter your Honorable Chief Judge Frank D. Whitney will be measured to a degree that generations will consider it and recognize the honor you exemplified by your action and deeds that many failed to carry out. The results will show who really upheld their judicial office to interpret the law that governs our society, as the standards of the ones that execute the system of justice go's to the lowest standards, then what do we expect from society? As an official of the court if this crime has been committed then it is for the Honorable Chief Judge Frank D. Whitney to judicate this matter by the law.

Thank you for your time and consideration on this crucial matter at the request of the citizen's of the United States of America. A deposition of the Honorable Lacy H. Thornburg and the Honorable Judge Martin Riedinger could easily clear up this matter to bring the honor, integrity, and competence back to the system of justice that we the citizen's are requiring you to show forth the independence, impartiality, and integrity lacking in the judiciary's that should have served the publics trust with honor.

Date: 10-15-19

Evangelist: Howard J. Foster
Email: hfoster_nc@yahoo.com
Phone: 828-423-4780

A handwritten signature in black ink, appearing to read "Howard J. Foster", written over a horizontal line.

Date: 10-15-19

Evangelist: Howard J. Foster
Email: hfoster_nc@yahoo.com
Phone: 828-423-4780

Howard J. Foster

Citizen's of the United States of America:

Samson Taylor

Melody Taylor

Ann Davis

Lysie Wilson

Thom Sullivan

Shearon

Lisa Miller

Sharon Williams

Wayne Welby

Shirley R. Austin

Wayne Moore

Parakee Anderson

County: Buncombe

Guadalupe D Moreno
Notary Public
Henderson County
North Carolina
Commission Exp: 12/17/22

Notary Public: Guadalupe D. Moreno

Date: 10/15/2019

County: Buncombe

Guadalupe D. Moreno

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